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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 ANNE DELANEY,

No. C 05-00756 SI

9 Plaintiff,

ORDER REOPENING CASE

10 v.

11 JO ANNE B. BARNHART, Commissioner of
12 Social Security,13 Defendant.
14 _____/

15 On February 22, 2005, plaintiff filed this action, seeking review of a November 15, 2002,
16 decision of the Commissioner of Social Security. Defendant, however, was unable to locate the
17 recording of plaintiff's hearing. Accordingly, the parties stipulated to remand this case to the Social
18 Security Administration for a *de novo* hearing. The recording was subsequently found, and on May 5,
19 2006, the Commissioner reinstated her November 15, 2002, decision as the final agency decision in this
20 case.

21 Plaintiff now moves to reopen this case. The Court GRANTS plaintiff's motion. Pursuant to
22 Civil Local Rule 16-5, within 90 days of this order, the defendant must serve and file an answer,
23 together with a certified copy of the transcript of the administrative record. Within 30 days of receipt
24 of defendant's answer, plaintiff must file a motion for summary judgment pursuant to Civil Local Rule
25 7-2 and Federal Rule of Civil Procedure 56. Defendant must serve and file any opposition or counter-
26 motion within 30 days of service of plaintiff's motion. Plaintiff may serve and file a reply within 14
27 days after service of defendant's opposition or counter-motion. Unless the Court orders otherwise, upon
28 the conclusion of this briefing schedule, the matter will be deemed submitted for decision by the District

1 Court without oral argument.

2 Plaintiff's motion to reopen this case is GRANTED (Docket No. 14).

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4 **IT IS SO ORDERED.**

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6 Dated: June 30, 2006

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8 SUSAN ILLSTON
9 United States District Judge
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